

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

ROY HUDSON,

Petitioner,

v.

CARRIE BRIDGES,

Respondent.

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Case No. CIV-24-561-PRW

**ORDER**

Before the Court is Magistrate Judge Amanda Maxfield Green’s Report and Recommendation (Dkt. 6), which recommends dismissal of the Petition for Writ of Habeas Corpus (Dkt. 1). Petitioner has filed no objections to the Report.

Having reviewed the matter *de novo*, the Court concurs with Magistrate Judge Green’s conclusions that the Petition (Dkt. 1) was not timely filed under the limits established by the Antiterrorism and Effective Death Penalty Act (“AEDPA”),<sup>1</sup> and that the AEDPA’s statute of limitations contains no exception for jurisdictional claims.<sup>2</sup>

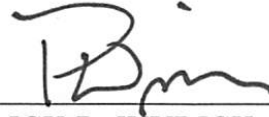
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<sup>1</sup> 28 U.S.C. § 2244(d).

<sup>2</sup> See *Pacheco v. Habti*, 62 F.4th 1233, 1245 (10th Cir. 2023) (“When Congress enacted the limitations period in AEDPA, it discerned no reason to provide a blanket exception for jurisdictional claims.”); *Lamarr v. Nunn*, No. 22-6063, 2022 WL 2678602, at \*2 (10th Cir. July 12, 2022) (unpublished); *Davis v. Bridges*, No. 22-6107, 2024 WL 140026, at \*9 (10th Cir. Jan. 12, 2024) (unpublished).

Accordingly, the Court hereby **ADOPTS** the Report and Recommendation (Dkt. 6) in full and **DISMISSES** the Petition (Dkt. 1) with prejudice.<sup>3</sup>

**IT IS SO ORDERED** this 1st day of October 2024.



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PATRICK R. WYRICK  
UNITED STATES DISTRICT JUDGE

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<sup>3</sup> Before a habeas petitioner may appeal the dismissal of a § 2254 petition, he must obtain a Certificate of Appealability (“COA”). *See Vreeland v. Zupan*, 906 F.3d 866, 875 (10th Cir. 2018) (citing 28 U.S.C. § 2253(c)(1)(A)). A COA may issue only upon “a substantial showing of the denial of a constitutional right.” § 2253(c)(2). “When the district court denies a habeas petition on procedural grounds without reaching the prisoner’s underlying constitutional claim, a COA should issue when the prisoner shows, at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). Upon consideration, the Court finds the requisite showing is not met in this case. Therefore, a COA is **DENIED**.